



Contractors' Review

May 2003

South Carolina Contractors' Licensing Board

No. 35

What's Inside

Board Gains New Member; Another Member Reappointed	2
General and Mechanical Contractor License Information	2
New Consumer Complaint Procedures	3
Administrator's Corner	4
Fax-on-Demand for Forms	4
Licensees, License Forms and License Information on the Internet	4
Sprinkler Plan Review Process and Procedures	5
Disciplinary Actions	7-9
NASCLA Directory Information	10



South Carolina Department of
Labor, Licensing and Regulation

Do Not Forget to Renew Your License

License renewal for general and mechanical contractors is quickly approaching. The department will be mailing renewal notices in late July. Both licenses will expire October 31, 2003. Renewal notices should be received by August 1.

General contractor licenses will be specially renewed one time for a three-year period. Thereafter, the license will go back to a two-year renewal cycle. The renewal fee will be \$525 for the three-year license. Mechanical contractor licenses will be renewed for the normal two-year cycle. This staggered renewal process will alternate the two licenses for future renewal cycles. After the special three-year renewal cycle, general contractors will renew every two years during "even numbered years." Mechanical contractors will renew every two years during "odd numbered years." The mechanical contractors renewal fee will be \$350.

If a contractor waits until the last minute to send the license renewal form to the board, processing of the license may be delayed. Complete the license renewal form and send it to this office as soon as possible. Please do not call the office and ask to expedite the renewal application ahead of other licensees. Staff will process the applications in the order that they are received. There will be no exceptions.

With a large number of applications to process and records to maintain, staff is asking licensees to keep the following in mind during the license renewal period:

- Read the renewal instructions in each section carefully.
- The owner/president and all qualifying parties that have passed the required examinations must sign the form. If one of the qualifying parties has left employment, the licensee must advise the board of the departure date.

- Do not list someone as a qualifying party when he/she has not passed the required examinations. This will delay the processing of the license renewal and will result in a fine for submitting false information.
- Do not add on the renewal form new qualifying parties that have just passed an examination. You must complete a license revision form to add the individual as a qualifying party.
- Financial statements are valid up to 12 months from the date of the financial information and the date of receipt of the renewal form.
- Attach a check or money order for the proper amount. The cost of a general contractor renewal license is \$525, and the mechanical renewal license is \$350. The cost for both licenses is \$875. There is no charge for renewing a qualifying party certificate(s).

Please do not call the office and ask staff members if they have received the renewal application. Staff cannot stop the license renewal process and search for an application to see if it has been received. This significantly slows down the process. To be sure the board has received the application, send it by certified mail or by an express service. Be sure to make a copy of the application and check or money order for future reference, if needed; write down the date the application was mailed.

Anyone not receiving a renewal form by September 1 may obtain one either by way of fax-on-demand or go to the department's Web site, www.llr.state.sc.us/POL/contractors. Applications are also available at the touch of a button and can be sent directly to you by fax. Call 24 hours a day toll free, 1-888-269-7646,

*License Renewal
Continued on page 6*



The "Contractors' Review" is a publication of the S.C. Contractors' Licensing Board and the South Carolina Department of Labor, Licensing and Regulation. It is distributed three times annually to licensees, building officials, architects, awarding authorities and various federal, state and local government officials. Suggestions for articles in this newsletter are welcome. Send written notification to Board Administrator Ron Galloway, or call him at (803) 896-4686.

BOARD MEMBERS

W. Frank Walker
Chairman Rock Hill

Lewis M. Caswell
..... Columbia

Curtis Head Greenville

Mark G. Plyler Columbia

Wendi J. Nance Columbia

James T. Tharp Columbia

Hurbert J. Chandler Vice Chairman

Kimberly L. Lineberger Greer

TELEPHONE NUMBERS

General Information ... (803) 896-4686

Licensing:

General Contractor (New)
Tracy Gunter (803) 896-4608

Mechanical Contractor (New)
Tammy Thompson .. (803) 896-4627

Alarm and Fire Sprinkler:
Pattie Muckelvaney . (803) 896-4624

Inspections:

Chas Nicholson (803) 896-4611

Preston Carter (803) 896-4638

Andy Dempsey.....(803) 896-4820

Stan Bowen.....(803) 896-4856

Complaint and Violation Compliance:
Terry King (803) 896-4796

Fax: (803) 896-4364



Board Gains New Member; Another Member Reappointed

Dan Lehman, former vice president of the South Carolina Alarm Association, has been appointed to the Contractors' Licensing Board as the member representing the alarm industry. He was appointed for a five-year term beginning December 27, 2002, and ending December 31, 2007.

Lehman has been a member of the association since its incorporation and has served on the Board of Directors since 2000. As general manager of Comporium Security in Rock Hill, Lehman has been actively involved in the sales and support of alarm products and services since

joining Comporium in 1987. Lehman also is as assistant chief of the Lando Volunteer Fire Department, a position he has held since 1998.

The expertise Lehman brings with him to this position will enhance the effectiveness of the board.

Current at-large member Mark G. Plyler has been re-appointed to a five-year term, which will expire December 31, 2008. Plyler lives in Columbia and owns his own business, Picture Perfect, located in Lancaster. His dedication has been invaluable to the operation of the board.

General and Mechanical Contractor License Information

A general and mechanical contractor license is in the form of a small wallet size card. The wallet card lists the contractor's name and address, abbreviated license classifications and monetary group limitations per project. The wallet card is the actual commercial contractor license. The wallet card lists the date the license was issued and the date it expires.

A General or Mechanical Certificate issued to a general or mechanical contractor business entity is not a license. This certificate only states that the entity is qualified to perform general or mechanical contracting work in this state and is generally used by the contractor to display on the wall. This certificate does not list the contractor's license classification(s) or group limitations. A Certificate of Achievement is issued to an individual and indicates the examination(s) the individual has passed which enables this individual to be a qualifying party for the licensee. The qualifying party Certificate of Achievement indicates the individual is qualified to enable a contracting entity to engage in certain regulated construction. The Qualifying Party Certificate of Achievement is not a license. The business has the license, not the qualifying party. In order to qualify for examination, the qualifying party must have two years of experience within the last five years in the classification in which he/she is applying. A municipal business

licensing office and the building officials' office should not issue a business license or building permit based upon a wall certificate or Certificate of Achievement.

If a qualifying party does not qualify a contracting business regulated by the board within four years of passing the required examinations, he will lose his qualifying party qualifications. If a qualifying party leaves the employment of the licensee and does not qualify another licensee for four consecutive years, he will lose his qualifying party qualifications and must pass the required exams to qualify another licensee. If the qualifying party leaves the employment of the entity, both the entity and qualifying party must notify the department in writing within 15 days of his departure. If the department is not notified within 15 days, the entity's license will be immediately cancelled. If proper notification is made, the license remains in good standing for 90 days until the entity can get another qualifying party to qualify the entity to engage in business.

All general and mechanical contractors are issued a license classification based upon the type of regulated work in which the contractor is qualified and has received a license for a particular scope of regulated work. General and mechanical contractors are also issued a

*Contractor License Information
Continued on page 5*

New Consumer Complaint Procedures

South Carolina Code of Laws Title 40, Chapter 11, is the statute governing the licensing of general and mechanical contractors. The board is charged with the responsibility of administering and ensuring compliance with this chapter. It has the authority to take disciplinary action against a licensee only after proving a violation of these laws. Discipline may range from a reprimand to the revocation of the license or registration.

Beginning immediately, when a property owner files a complaint against a contractor licensed with this board concerning construction problems and the property is over 2 years old, the department will schedule an investigation to determine whether or not there are facts, which may support a charge against the respondent for violations of the license law. Relevant facts include identification of violations of applicable building codes or manufacturer's recommendation for installation instructions, in each instance where failure to comply with those codes or instructions was the responsibility of the licensee. The investigator is not a compliance inspector and will not conduct a full compliance inspection. The investigator will interview the complainant concerning each issue listed in the complaint and will expect a response from the licensee regarding each item listed and any other observations made by the investigator. It is important that the complainant understand that the board will not address contractual or cosmetic issues and cannot require the licensee to fix any items, pay for repairs or refund any monies. The board cannot assure the complainant that the respondent

will take corrective action. Interview findings will be filed in an official written report, which will be made available to the complainant and respondent. If there are no observed code violations, construction standards deviations or other facts to support a possible violation of the licensing statutes, the investigator will recommend closure of the case and submission of his/her written report. If the report indicates possible violations of Title 40, Chapter 11, it will be forwarded to an Investigative Review Committee (IRC) for an evaluation of evidence. During its deliberation, the IRC may recommend an action against the respondent or may conclude that, based upon the available evidence, no charges are appropriate. Actions following charges of a violation of Title 40, Chapter 11, can range from a letter of caution to sanction of the respondent by Consent Agreement or a contested case hearing before the full board. The IRC may consider what actions the respondent has taken in the interim to resolve the matter with the complainant. In the event the case is referred to the full board for a hearing against the respondent, the complainant should be prepared to act as a witness if called by the state's attorney.

All construction complaints for code violations of structures that are two years old or less and performed by licensees regulated by the board, must be referred to the local building official having jurisdiction. The building official will handle these complaints and will require the licensee to take proper corrective action. If the licensee fails to make the required repairs,

the building official will refer the matter to the Board's IRC. The IRC will recommend an action against the respondent or may conclude that based upon the available evidence, no charges are appropriate. The board will not longer arbitrate construction complaints in order to get the licensee to make repairs.

A general or mechanical or mechanical contractor licensed with the Contractors' Licensing Board who engages in residential construction must comply with the South Carolina Residential Construction Standards as defined in Section 40-59-110 of the 1976 South Carolina Code of Laws, as amended, in addition to applicable code standards and manufacturer's recommendation for installation. The construction standards specify the minimum performance standards of industry practice for construction of homes and are used as the basis for determining validity of homebuyer complaints. Construction standards will be used when a possible defect is not covered explicitly by code or manufacturer's recommendation for installation.

To view these standards, go to the South Carolina Residential Builders' Commission Web site, www.llr.state.sc.us/POL/ResidentialBuilders. Find Disciplinary Info, press enter, look for How Do I File a Complaint, press enter, look for Residential Construction Standards and review the standards.

Deviations from these accepted standards may be cause for disciplinary action against a licensee. Ensure that all complaints from homeowners are addressed before the homeowner files a complaint with the board.

Have You Moved?

It is the responsibility of the licensees to keep the board office aware of current address and telephone information. When these changes occur, please notify this office immediately.

Please submit the following information:

Date: _____
Name of Licensee: _____
Old Address: _____
New Address: _____
Old Phone Number: _____
New Phone Number: _____
Signature: _____

Administrator's Corner...Ron Galloway

Many licensed contractors still do not understand that license lending is against the law. License lending is one of the most serious violations of the contracting statutes a contractor can commit. At present, the minimum sanction is a \$5,000 fine. The department has issued more than \$100,000 in fines for license lending during the last year and one-half. If this action continues on a regular basis, the board may change the \$5,000 fine to **license revocation**. If an entity has held a contractor license for a reasonable amount of time, the entity should have known better and known what constitutes license lending. License revocation by statute is 12 months. After this time frame, the entity will have to apply for initial licensure and submit a new financial statement. Depending upon the circumstances, the board may permanently revoke the entity's license and never grant a request for license reinstatement. If you are guilty of license lending a second time, the result could be permanent revocation.

If you are not the prime contractor for a project, and you sign for a building permit listing your license as the contractor of record or the contractor responsible for the project, you are guilty of license lending. A prime contractor is an entity that contracts directly with an owner to perform general or mechanical construction. If an

entity has the contract with the owner, and you work under contract for the entity that has the contract, you are a subcontractor. You are not working for the owner because you do not have the contract with the owner.

If you obtain a building permit for an unlicensed contractor, and you perform work as a subcontractor for the project, this is an additional violation known as aiding and abetting an unlicensed contractor and can significantly increase the fine or sanctions imposed by the board.

Don't think that no one will find out or no one will turn you in because you have done it in the past and did not get caught. Since the new contracting laws have gone into effect, contractors have no qualms about reporting improper license activity because the board can now issue a multitude of different sanctions concerning contracting violations.

If you lose your qualifying party status and do not qualify for a South Carolina licensed entity for four consecutive years, you will have to meet the examination requirements should you qualify for license reinstatement.

A \$5,000 fine or being put out of business for a year or more can seriously impact the livelihood of your family. Knowing what can and will happen for license lending, is it worth it?

License Renewal for Fire Sprinkler Contractors for 2003-2004

All 2002-2003 South Carolina Fire Sprinkler Contractor licenses issued by this board will expire at midnight July 31, 2003. A 2003-2004 renewal application will be mailed to each fire sprinkler licensee during the month of June. The renewal fee is \$100, which includes one qualifier. All additional qualifiers must pay \$100 each. Please include your Certificate of Insurance with the renewal form that lists the South Carolina Contractors Licensing Board as the certificate holder.

Renewal applications received after July 31, 2003, cannot be accepted, per statute. The application will be returned to the applicant, and the licensee must complete an original application and pay the original application fee of \$250 in order to receive the fire sprinkler contractor license. Grandfather qualifier certification cards that are not renewed by midnight July 31st will expire and cannot be renewed without the NICET Level 3 certification.

In the event you do not receive your renewal application by July 5, 2003, please call the board's fire sprinkler licensing section and ask for a duplicate fire sprinkler renewal application. The board's telephone number is (803) 896-4624 or (803) 896-4686.

Licensees, License Forms and License Information on the Internet

The best way to verify licensure is by way of the board's Web site, www.llr.state.sc.us. Go to the professional and occupational licensing board section on the left side of the screen, select contractors and click go. Then go to licensee look-up and put in the company name, last name if listed as an individual, or license number. You also can find all forms for licensure, license information and general board information on the site.

South Carolina Contractors' Licensing Board Meeting dates for 2003

Date	Time	Location	Room #
July 17	10 a.m.	Kingstree Building, Synergy Office Park Columbia	111
October 16	10 a.m.	Kingstree Building, Synergy Office Park Columbia	111

Fax-on-Demand for Forms

You can obtain forms and other information about the S.C. Contractors' Licensing Board through the Fax-on-Demand system.



You will not have to wait for information to come in the mail. Applications are available at the touch of a button and can be sent by fax directly to you. The system is voice activated. Call 24 hours a day toll free, 1-888-269-7646, and select option number 4 for the Contractors' Licensing Board. Follow the instructions, and state what documents you need.

Sprinkler Plan Review Process and Procedures



*Sponsored by : The South Carolina Sprinkler Contractors Association
and the South Carolina Office of State Fire Marshal*

July 15, 2003

S.C. Fire Academy – Columbia

Tuesday, July 15, 2003

9 - 9:45 a.m.	Registration
9:45 – 10 a.m.	Opening Remarks

- Jack Knight, S.C. Sprinkler Contractors Association
- Adrienne Youmans, Director, S.C. Department of Labor, Licensing and Regulation
- Bert Polk, State Fire Marshal

10 - 10:50 a.m.	First Session
10:50 – 11 a.m.	Break
11 - 11:50 a.m.	Second Session
11:50 a.m. – 1 p.m.	Lunch
1 - 1:50 p.m.	Third Session
1:50 – 2 p.m.	Break
2 - 2:50 p.m.	Fourth Session
3 - 3:15 p.m.	Closing Remarks and Evaluation

Seminar Registration and Attendance

Registration fee is \$25 per person. Course Code is **8254-04001**.

- ✓ Fees include breaks, lunch, handouts and training certificates.
- ✓ Reservation must be received by July 1, 2003.
- ✓ Registration is limited to the first 175 people. "Walk-ins" will be accepted on a space-available basis. Cash cannot be accepted as payment for "walk-ins."
- ✓ Attendees will receive a training certificate reflecting four training hours.
- ✓ Dormitory rooms are available at the Fire Academy. Reserve rooms by July 1.
- Single occupancy rooms are \$28 per night.
- Double occupancy rooms are \$13 per student per night.
- Room reservations must be made by July 1, 2003.

Directions to the S.C. Fire Academy

From Interstate 20, take Exit 68 and turn north on Monticello Road, (S.C. 215). Travel about 4.3 miles to Monticello Trail and turn left. (The road will narrow from four lanes to two lanes about 1/4 mile before the turnoff.) The Fire Academy complex is about 3/4 mile up Monticello Trail on the left.

Directions and map are available @ <http://www.llr.state.sc.us/scfireac/direct.htm>

Registration may be sent by fax to the Fire Academy @ (803) 896-9856.

Contractor License

Information Continued from page 2

group limitation for each separate project. This means the contractor is limited to a certain dollar value per project. This dollar value limitation is based upon the minimum net worth of the entity as established in Section 40-11-260. If a licensed contractor exceeds this limitation, the entity will be issued a fine of \$500 and one percent of the cost of the work up to a maximum of \$5,000.

It is unlawful for a licensed contractor to bid in any other name other than the exact name that appears on its contractor license card. If the contractor bids in another name, bids over the group monetary limitation, or outside the classification in which the contractor is licensed, the licensee is subject to disciplinary action under Sections 40-11-110 and/or 40-11-370. Section 110 also provides a list of possible violations of the contracting statutes. A fine of \$500 per project will be issued to a licensed contractor violating this section.

Issuing a permit to an improperly licensed person may result in problems for the owner, contractor and the issuing authority. If an improperly licensed contractor is found on a project, the contractor may be issued a fine and required to leave the project and not return. This can cause problems for the contractor and the owner and can be very costly to both. The owner may be issued a fine for hiring an unlicensed contractor and may have to find another contractor to finish the remaining construction. In addition, the department has the authority to issue a fine to the permitting jurisdictions that issue permits to improperly licensed individuals. The department is starting to enforce this provision after an initial letter of warning and notice.

It is unlawful for an owner, a construction manager, a prime contractor, or any other entity with contracting or hiring authority on any construction project to divide work into portions so as to avoid the requirements of the state contracting statutes. The department is authorized to issue a Cease and Desist Order (C & D) to anyone for contracting without a proper contractor license. If an individual or entity receiving a Cease and Desist Order fails to stop the contracting work after the issuance of a C & D, the matter may be referred to an Administrative Law Judge for a possible fine of up to \$10,000 and/or imprisonment.

select option # 4 for the Contractors' Licensing Board and follow the instructions.

If you do not receive the new license from this office within four weeks of sending it to the licensing section, go to the department's Web site and look for the e-mail address of the licensing section. Send a message with your concerns, and you will receive an e-mail response as soon as possible. You may also fax any concerns to the licensing section that need to be addressed during the license renewal period. The fax number is (803) 896-4701.

All renewal applications must be postmarked by October 31, 2003, in order to **avoid a late license renewal penalty fee**. Late license renewal penalty fees received on or after November 1, 2003, are:

- **\$100 for up to 30 days,**
 - **\$150 for 31 and up to 60 days,**
 - **\$200 for 61 and up to 90 days,**
- or
- **an initial (NEW) application and financial statement is required after 90 days.**

The penalty fees listed above must be paid in addition to submitting the license fee(s). If they are not included, the application will be returned.

Remember, all general and mechanical licensees must complete and return the renewal form to the board prior to the November 1 deadline. Please do not make any license upgrade requests on the application. Any application that is not properly completed or does not have the correct dollar amount for the license will be returned. If the department has not received the application prior to November 1, any contracting work that is bid on or after this date will be in violation of the contracting statutes and is subject to license sanction(s).

The board is also establishing a universal renewal date for burglar and fire alarm contractors, which will be a biennial license renewal cycle beginning July 31. It should take 24 months to have all burglar and fire alarm contractors on a universal expiration date. Notices with an explanation of the procedure will be provided in each renewal package when the license expires over the next two years after July 31.

Employers Beware!

State-required posters that involve workplace laws are available **free** of charge. You do not have to pay for them.

The posters – now available in an all-in-one poster format – can be obtained from the S.C. Department of Labor Licensing and Regulation, S.C. Employment Security Commission, or the S.C. Human Affairs Commission.

The all-in-one-poster includes:

- Safety and Health Protection on the Job (the OSHA poster)
- Employment Discrimination
- Workers Compensation
- Unemployment Insurance
- Payment of Wages, Child Labor and Right-to-Work Laws

If you want to place an order or have questions, contact one of the following:

- LLR, email at fosterb@llr.sc.gov
- Employment Security, (803) 737-2474
- Human Affairs, (803) 737-7800 or 1-800-521-0725
- Workers Compensation, (803) 737-5700

Recent Disciplinary Actions

Cease and Desist Orders

The following individuals or entities agreed to a consent order for violation of the contracting statutes:

- Southern Coastal Maintenance Company Inc., and Edward S. McDonnell, Myrtle Beach. Respondent performed work on a project that required an air conditioning license classification and did not have a license to perform the work.
- William F. Short, Cheraw. Respondent performed work on a project that required a building license classification and did not have a license to perform the work.
- Dawkins Concrete Products, Hartsville. Respondent performed regulated construction work outside his general contractor license classification on two separate construction projects.
- Brogden & Brogden, Loris. Respondent performed work on a project that required a state of South Carolina contractor license and did not have a license to perform the work.
- Terry and Kathy Deland, Myrtle Beach. Respondents built a residence under the owner exemption that did not require a state license to build the structure. Respondents sold the structure prior to the two-year waiting period required for owner builders before the owner builder can sell the structure.
- Four Seasonings Heating and Air, Rock Hill. Respondent performed HVAC work on a project that required a mechanical contractor license and did not have a license to perform the work.
- ATO Glass, Rock Hill. Respondent performed glass and glazing work on a project that required a general contractor license and did not have a license to perform the work.
- David Grice, Nakina, N.C. Respondent performed work on a project that required a marine license classification and did not have a license to perform the work.
- Chris Becker and Alert Security Services, West Columbia. Respondents aided and abetted an unlicensed alarm business by offering to perform alarm installation work for the unlicensed entity. Respondents did not have any employees registered with the department as required by statute.
- Chuck Bullock, Sumter. Respondent does not have a burglar alarm

Citations Issued *Continued page 7*

license or registered as an employee of an alarm business and offered to have alarm systems installed by Alert Security.

- Advanced Mechanical Corporation and James Burgin, Waynesville, N.C. Respondents submitted a mechanical bid for the Thornwell High School Project in Clinton, S.C. and did not have a mechanical contractor license to perform this work.
- Michael Shealy, Lexington. Respondent built a residence as owner/builder without a license and sold the residence prior to the two-year waiting period requirement thus putting the Respondent in violation of contracting without a proper license.
- Cody's Inc., and Odell Cody, Jr., York. Respondent performed general contracting work that required a license and did not have a license to perform the work.

Citations Issued

The following individuals and/or entities were issued a citation by the department for violation of the contracting statutes and agreed to pay a fine:

- Life Style Tech. Inc., Charlotte, N.C. Respondent failed to obtain a branch office alarm license for two burglar alarm offices. Fine was \$1,000.
- Coastal Conditioned Air and Nancy Dixon, Evans, GA. Respondents failed to make corrective action after receiving a written notice from the department to make repairs. Fine was \$500.
- B.F. McMahon Inc., Chapin. Respondent submitted a bid on a project that was outside its license classification for a construction project. Fine was \$500.
- Payne, McGinn & Cummins, Inc., Travelers Rest. Respondent submitted a bid on a project that was outside its license classification for a construction project. Fine was \$500.
- B C & D Associates, Inc., Cullowhee, N.C. Respondent submitted a bid on a construction project that was outside its license classification. Fine was \$500.

- Anderson Door & Glass, Anderson. Respondent performed work on a project that required a glass and glazing license classification and did not have a license to perform the work. Fine was \$500.
- Southern Designs, Anderson. Respondent entered into a written contract to perform contracting work with an unlicensed contractor to perform work that required licensure. Fine was \$500.
- Banks Brothers Asphalt, Travelers Rest. Respondent performed work on a project that required an asphalt paving license classification and did not have a license to perform the work. Fine was \$500.
- B & T Builders, Florence. Respondent performed work on a project that required a construction manager registration and was not properly registered to perform the work. Fine was \$500.
- Georgia National Glass and Metal Inc., Powder Springs, GA. Respondent performed work on a project that required a glass and glazing license classification and did not have a license to perform the work. Fine was \$500.
- Diversified Fire Protection Inc., Charlotte, N.C. Respondent performed work on a project that required a fire sprinkler license classification and did not have a license to perform the work. Fine was \$500.
- McTils Safe Company, Savannah, GA. Respondent performed work on a project that required a burglar and fire alarm license and did not have a license to perform the work. Fine was \$500.
- Powell Electric, Starr. Respondent committed fraud and deceit in obtaining a license by submitting false information on the license application. Fine was \$500.
- B & J Meetze Plumbing, Prosperity. Respondent divided a construction project into portions to avoid contractor licensing requirements. Fine was \$500.
- Bruton Construction, Ravenel. Respondent performed work on a project that required a roofing license classification and did not

have a license to perform the work. Fine was \$500.

- Construction Management & Development Services, Charlotte, N.C. Respondent performed work on a project that required a construction manager registration and was not properly registered to perform the work. Fine was \$500.
- Dawkins Concrete Products, Hartsville. Respondent performed regulated construction work outside its general contractor license classification on two separate construction projects. Fine was \$1,000.
- Protect First Inc., Myrtle Beach. Respondent performed work on a project that required a burglar alarm license and did not have a license to perform the work. Fine was \$500.
- B & J Meetze Plumbing, Prosperity. Respondent divided a construction project into portions to avoid contractor licensing requirements. Fine was \$500.
- Bryan Summey Roofing, Greenwood. Respondent performed work on a project that required a roofing license classification and did not have a license to perform the work. Fine was \$500.
- Robert Mallard Construction Inc. and Robert Mallard, Charleston. Respondents submitted a bid on a project that was outside their license classification for a construction project. Fine was \$500.
- Terry and Kathy Deland, Myrtle Beach. Respondents built a residence under the owner exemption that did not require a state license to build the structure. Respondents sold the structure prior to the two-year waiting period required for owner builders before the owner builder can sell the structure. Fine was \$500.
- Four Seasonings Heating and Air, Rock Hill. Respondent performed HVAC work on a project that required a mechanical contractor license and did not have a license to perform the work. Fine was \$500.

Citations Issued *Continued page 8*

- ATO Glass, Rock Hill,. Respondent performed glass and glazing work on a project that required a general contractor license and did not have a license to perform the work. Fine was \$500
- Cohn Construction Company, Columbia. Respondent is licensed as a general contractor and hired an unlicensed contractor to perform glass and glazing work. The subcontractor did not have a contractor license to perform the work. Fine was \$500.
- Dawkins Concrete Products, Hartsville. Respondent performed work on three separate without having a proper contractor license. Fine was \$1,500.
- Mabry Electrical Contracting & Services and J. Rivers Mabry, Abbeville. Respondents performed work on a construction project that was outside its license classification. Fine was \$500.
- Construction Management and Development Services, Charlotte, N.C. Respondent acted as a construction manager on a construction project without being registered with the department as a construction manager. Fine was \$500.
- Carter Electric Company Inc. and Walter P. Carter, Augusta, GA. Respondent failed to obtain a building permit for a construction project. Fine was \$500.
- Bryan Summey Roofing, Greenwood. Respondent failed to obtain a building permit for a construction project and did not have a license to perform roofing work. Fine was \$1,000.
- W.T. Nichols Plumbing Company, Fort Mill. Respondent submitted a bid on a project to perform regulated construction in a name other than the name that appears on his mechanical contractor license. Fine was \$500.
- Westport Corp., Charlotte, N.C. Respondent is a licensed general contractor and hired an unlicensed contractor to perform glass and glazing work on a project that required a glass and glazing license. Fine was \$500 for aiding

and betting an unlicensed contractor.

- Chris Becker and Alert Security Services, West Columbia. Respondents aided and abetted an unlicensed alarm business by offering to perform alarm installation work for the unlicensed entity. Respondents did not have any employees registered with the department as required by statute. Fine was \$750.
- Chuck Bullock, Sumter. Respondent does not have a burglar alarm license or registered as an employee of an alarm business and offered to have alarm systems installed by Alert Security. Fine was \$250
- B B & T Refrigeration, Inc., and William Carroll, Rock Hill. Respondents failed to obtain a building permit as required by the local permitting jurisdiction. Fine was \$500.
- Willm Construction, Columbia. Respondent performed work as a construction manager and was not registered with the department as a construction manager. Fine was \$500.
- Clear Water Company Inc., Irmo. Respondent performed work as a construction manager and was not registered with the department as a construction manager. Fine was \$500.
- Carolina Cooling and Plumbing, Inc., and Verlon Wulf, Surfside Beach. Respondents failed to maintain a qualifying party to enable the entity to be in business. Respondent took the proper exams to qualify his own business. Fine was \$500.
- Terry and Kathie Deland, Myrtle Beach. Respondents built a residence as owner/builder without a license and sold the residence prior to the two-year waiting period requirement thus putting the Respondent in violation of contracting without a proper license. Fine was \$500.
- Tony Berenyi, Charleston. Respondent performed work as a construction manager and was not registered with the department as a construction manager. Fine was \$500.

Consent Orders and Fines Paid

Correction to January 2003 Newsletter: GS Tech Inc., Greenville, SC, was fined \$500 for submitting an improper financial statement for license renewal, not for contracting outside its mechanical license classification.

The following individuals and/or entities were issued a Cease and Desist Order for performing contracting work without a proper contractor license, certification or registration:

- Hampton's Heating and Air and Rodgers Hampton, Orangeburg. Respondents submitted a bid for a project that required a HVAC license classification and did not have a license to perform the work. Fine was \$700.
- American Roofing Inc., and Greg Lantz, Charleston. Respondents submitted a bid for a project that required a roofing license classification and did not have a license to perform the work. Fine was \$500.
- Quality Sprinkler Company, Inc., and William Klutz, Charlotte, N.C. Respondents engaged in fire sprinkler work and did not submit shop drawings to the State Fire Marshal's Office for approval of the work prior to engaging in the work. Fine was \$250.
- Simmons Construction Company, Inc., and Marvin Simmons, New Tazewell, TN. Respondent is a licensed general contractor and hired an unlicensed contractor to perform electrical work on a project that required an electrical license. Fine was \$500 for aiding and betting an unlicensed contractor.
- Love Construction and Tommy Love, Charleston. Respondents performed work on a project that required a marine license classification and did not have a license to perform the work. Fine was \$1,500.
- Able & Sons Asphalt Paving, and James Able, Ridgeway. Respondents performed work on a project that required an asphalt paving license classification and did not

Citations Issued *Continued page 9*

have a license to perform the work. Fine was \$500.

- Ventilated Awnings Corporation and Larry Carver, Greenville. Respondents performed work on a project that required a structural shapes license classification and did not have a license to perform the work. Fine was \$500.
- T N T Carports, Inc., and Benny Torres, Greenville. Respondents performed work on a project that required a structural shapes license classification and did not have a license to perform the work. Fine was \$500.
- A & A Fiore Protection and Johnny Armstrong, Greenville. Respondents submitted shop drawings for approval to the State Fire Marshal's Office pertaining to a fire sprinkler project and did not have an authorized signature on the drawings as required by statute, fine was \$250.
- Carnesville Farm & Home Supply and Kelly Everson, Carnsville, GA. Respondents submitted a bid for two separate projects that exceeded their license group financial limitation for the construction projects. Fine was \$1,000.
- North Lake Construction and Janet Lehman, Lexington. Respondents are licensed as a general contractor and hired an unlicensed contractor to perform boiler work on a project that required a boiler license. Fine was \$2,300.
- Huck's Construction Company and Clarence Hucks, Ridgeway. Respondents allowed an unlicensed contractor to use Huck's Construction Company's general contractor license to obtain a building permit when Huck's Construction did not have the contract to perform the construction work. Fine was \$5,000 for aiding and abetting an unlicensed contractor.
- Performance Contracting, Inc. and Larry Shields, Spartanburg. Respondents, a licensed mechanical contractor, submitted a bid on a project that required a boiler license classification and did not have a license to perform the work. Fine was \$2,300.

- Joab Dick Construction and Joab Dick, West Columbia. Respondents began a general contracting project without having a proper license and used the license number of another contractor without the contractor's permission to obtain a permit to build the structure. Fine was \$5,000.
- Construction, Water and Air, (CWA) Inc., and Robert Noe, James Island. Respondents submitted a bid on a project that required a marine license classification and did not have a license to perform the work. Fine was \$500.
- Hoover Building Systems and Dale Detter, Greer. Respondents submitted a bid on a project that required a building license classification and did not have a license to perform the work. Fine was \$500.
- Cottage Designs and Charles Anderson, Landrum. Respondents submitted a bid on a project that required an interior renovation or building license classification and did not have a license to perform the work. Fine was \$500.
- Benchmark Construction and Louis Snedigar, Greenville. Respondents submitted a bid on a project that required a building license classification and did not have a license to perform the work. Fine was \$500.
- Crenshaw Asphalt Paving, Inc. Respondent performed work on a project that required asphalt paving license classification and did not have a license to perform the work. Fine was \$800.
- Richard H. Cohn, Columbia. Respondent submitted a bid on a project to perform regulated construction in a name other than the name that appears on his general contractor license. Fine was \$500.
- Binswanger Glass, Greenville. Respondent performed work on a project that required a glass and glazing license classification and did not have a license to perform the work. Fine was \$800.
- Cely Construction, Greenville. Respondent hired two unlicensed

subcontractors to perform work on a regulated that required licensure. Fine was \$1,700 for aiding and abetting two unlicensed contractors.

- Harvey Branham, Camden. Respondent is a licensed contractor and submitted plans for an addition to a structure without having an architect's seal on the drawings. Fine was \$500.
- Air Tech South and Ashley Hodges, Hilton Head. Respondents performed HVAC work on a project that required a mechanical contractor license and did not have a license to perform the work. Fine was \$500.
- Columbia Properties, LLC, Myrtle Beach. Respondent acted as owner builder of a project and did not have a license to perform work as a general contractor and hired two unlicensed contractors to perform regulated work. Fine was \$5,000.
- J T Exteriors, Myrtle Beach. Respondent submitted a bid to Columbia Properties, LLC, in Myrtle Beach to perform general contracting work that required licensure and did not have a license to engage in the work. Fine was \$2,500.
- The Bullard Group, Inc., Lexington. Respondent submitted a bid to Columbia Properties, LLC, in Myrtle Beach, to perform general contracting work that required licensure and did not have a license to engage in the work. Fine was \$2,500.
- Southeastern Sprinkler Company, Inc., and Marvin Mills. Respondents submitted shop drawings for approval to the State Fire Marshal's Office pertaining to a fire sprinkler project and did not have an authorized signature, the required sprinkler contractor's stamp, or license number on the drawings as required by statute, fine was \$250.
- Norman Boggs, Jr. Builders and Norman Boggs, Jr., Anderson. Respondent submitted a proposal to perform general contracting work on a church and did not have a license to perform the work. Fine was \$500.

S.C. Department of Labor, Licensing and Regulation
Contractors' Licensing Board
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